

Message Text

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PAGE 01 STATE 075860
ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 HEW-04 L-03 COME-00 OES-06
TRSE-00 JUSE-00 AGRE-00 AID-05 CEA-01 CIAE-00
INR-07 STR-04 /051 R

DRAFTED BY EB/OT/STA:GWHITE:MH
APPROVED BY EB/OT/STA:JSSPIRO
FDA:RSHELTON (SUBS)
ATF:DROYCE (SUBS)
EUR/RPE:RBRESLER

-----060744Z 078054 /17

R 052219Z APR 77
FM SECSTATE WASHDC
TO USMISSION EC BRUSSELS

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E.O. 11652: N/A

TAGS:ETRD

SUBJECT: EC INGREDIENT LABELING REGULATIONS FOR WINE
AND SPIRITS

REF: (A) BRESLER-JOHNSTON CONVERSATION, MARCH 14, (B) 76 EC
BRUSSELS 12480, (C) EC BRUSSELS A-323, AUG. 1975,
(D) EC BRUSSELS A-20, 1976, (E) STATE 279071

1. A FEDERAL JUDGE IN THE U.S. DISTRICT COURT IN
OWENSBORO, KENTUCKY RULED IN JULY 1976 THAT THE FOOD AND
DRUG ADMINISTRATION (FDA) CANNOT IMPLEMENT ITS INGREDIENT
LABELING REQUIREMENTS FOR ALCOHOLIC BEVERAGES ON THE
GROUNDS THAT THE DEPARTMENT OF THE TREASURY'S BUREAU OF
ALCOHOL, TOBACCO, AND FIREARMS (ATF) HAS EXCLUSIVE
JURISDICTION OVER THE LABELING OF ALCOHOLIC BEVERAGES.

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PAGE 02 STATE 075860

FDA WISHED TO CONTEST THIS RULING AND REQUESTED THAT THE
JUSTICE DEPARTMENT INSTITUTE APPEAL PROCEEDINGS. THE
JUSTICE DEPARTMENT RESERVED THE RIGHT TO APPEAL AT A LATER
DATE, HOWEVER THE SOLICITOR GENERAL HAS NOT INDICATED WHEN
OR WHETHER JUSTICE WILL APPEAL. IF JUSTICE DOES NOT
APPEAL, WHICH SEEMS LIKELY AT THIS TIME, THE AUTHORITY
TO IMPOSE INGREDIENT LABELING WILL BE LEFT WITH ATF WHICH

HAS ALREADY DECIDED NOT TO IMPOSE SUCH REGULATIONS.

2. REGARDING POSSIBLE EC ACTION IN THIS AREA: REPAIR D
DOES NOT COVER PROPOSED EC INGREDIENT LABELING REGULATIONS
FOR WINES AND SPIRITS.

3. DEPARTMENT WOULD APPRECIATE UPDATE ON STATUS OF EC'S
INCLUSION OF ALCOHOLIC BEVERAGES IN FOOD INGREDIENT
LABELING REGULATIONS. (REFS C AND D).
VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LABELING, STANDARDS, REGIONAL ORGANIZATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 05-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE075860
Document Source: CORE
Document Unique ID: 00
Drafter: GWHITE:MH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770119-0636
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770485/aaaacwlm.tel
Line Count: 72
Litigation Code IDs:
Litigation Codes:
Litigation History: Hold (001 Tobacco) added on 4/16/2009 3:39:08 PM by WASHDCMcGoldRJ, Hold (001 Tobacco) removed on 4/16/2009 3:45:06 PM by WASHDCMcGoldRJ (Litigation Hold Lifted)
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 650befa9-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 24-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2889963
Secure: OPEN
Status: NATIVE
Subject: EC INGREDIENT LABELING REGULATIONS FOR WINE AND SPIRITS
TAGS: ETRD, EEC, FDA, ATF
To: EC BRUSSELS
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/650befa9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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